

POLICY FOR STREET IMPROVEMENTS

Except as otherwise noted herein, Director as used in this section shall mean the Director of Transportation and Public Works or his/her designee.

The following policy shall govern the installation of all street, alley and parkway improvements within the corporate limits of the City of Fort Worth, Texas:

1. **ENGINEERING AND SUPERVISION:**

- A. All street, alley and parkway improvements shall be in accordance with the Subdivision Ordinance, City Plan Commission Rules and Regulations and with design criteria of the Transportation and Public Works Department. Sections VII and VIII of the City Plan Commission Rules and Regulations are specifically applicable to engineering criteria and construction plans.
- B. The plans and specifications shall be prepared in accordance with the adopted procedures of the Transportation and Public Works Department of the City. The Director shall establish a standard check list to be used by Transportation and Public Works Staff in the review of plans and specifications. Said check list shall be made available to consultants, developers and developer representatives. While the list will be as comprehensive as possible, it must be recognized that the staff cannot be limited to review of only those items listed in all cases. Staff will:
 - (1) Review plans for compliance with established City policy and good engineering design.
 - (2) Avoid commenting on items because of personal preference unless plans are unclear as prepared or the item is part of established policy.
 - (3) Thoroughly review items at the "Concept Review" and "Design Plan" review levels so as to minimize new comments concerning items previously submitted. This does not mean that potential problems should be ignored simply because they were previously overlooked.
- C. In the event the plans and specifications are prepared by the developer's engineer, the plans and specifications shall be submitted to the Director for the review and approval of the appropriate officials of the City. This review and approval process shall take place through the Department of Transportation and Public Works and shall proceed as follows:
 - (1) If the design plans and specifications are incomplete, a letter stating the necessary changes to the plans and specifications and a set of the design plans and specifications marked with the necessary changes and/or comments shall be returned to the developer's engineer for use in the correction of the plans and specifications.

- (2) The marked plans and specifications must be returned to the Transportation and Public Works Department with the revised plans and specifications. The Transportation and Public Works Department will attempt to complete each review within the number of City working days listed below:

<u>Review State</u>	<u>City Working Days</u>
Drainage Plan and Concept Review of Engineering Problems	* *
Design Plans and Specifications/Contract Documents ***	15
Final Plans	15

**If submitted according to Paragraph C (1) above, this review will run concurrently with the review of the preliminary plat.

***The first time design plans are submitted they shall be fully reviewed as final construction plans. When the plans and specifications are sufficiently complete, the cover sheet will be requested of the developer's engineer for issuing final approval.

- (3) Any of the following matters will be cause for time to be suspended until a satisfactory resolution is made. It should be noted that some of the items below may be resolved concurrently with Plan Commission review of preliminary plat.
- Request for (or implied) deviation from established minimum design standards;
 - Specific request for deviation from established Development Policy;
 - Design decisions or proposals yielding higher City costs than would result with minimum City standards;
 - When the project includes unconstructed street and/or storm drainage facilities common to (or shared with) adjacent property for which a CFA has been executed or for which earlier design plans have been approved; or
 - For Preliminary plans or Final Plans, lack of a preliminary plat approved by the Plan Commission, or an approved site plan in case of Unified Residential Development.
- (4) The adequacy of the construction proposed by the developer's engineer shall be determined by the affected Director or his authorized representative.

- D. "Standard Specifications for Street and Storm Drain Construction" of the Transportation and Public Works Department will govern on all projects. A copy of the Standard Specifications may be purchased at the office of the Transportation and Public Works Department. Upon approval of the Director, the "NCTCOG Uniform Specifications" may be used in lieu of or in conjunction with the City of Fort Worth Standard Specifications for Street and Storm Drain Construction.
- E. Border streets shall be improved at the time of development unless conditions preclude improvements at that time as determined by the Director of Transportation and Public Works.

2. DISTRIBUTION OF COST:

A. Interior Streets:

- (1) Except as provided in Item (c), Page V-5, the City shall bear all of the excess cost of street improvements for widths greater than fifty-four (54) feet.
- (2) The City shall not use standard assessment paving provisions for interior streets, even if there is more than one (1) property owner adjacent to the street, but will require a standard CFA with the adjacent property owners and all right-of-way shall be dedicated free of charge to the City during the platting process.

B. Border Streets:

- (1) Except as provided in Item (c), Page V-5, the City shall bear all of the excess cost of street improvements for widths greater than fifty-four (54) feet.
- (2) On border streets adjacent to a development, the developer shall either construct or provide a financial guaranty for one-half (1/2) the cost of the street construction (not to exceed 27 feet), including one-half (1/2) the cost of drainage improvements in accordance with the "Policy for the Installation of Community Facilities" just as if the project were an Interior Street at the time of execution of the Community Facilities Agreement.
- (3) The developer shall dedicate the right-of-way free of charge to the City during the platting process one-half of the street adjacent to its property. For the other half of the street the following shall apply:
 - Where property adjacent to a border street is platted, the property owner shall be assessed in accordance with VI-1 and/or VI-2, Assessment Paving Policy as applicable.

- Where property adjacent to a border street is unplatted, the property owner shall be assessed for one-half of the construction cost, including the cost of the drainage improvements adjacent to his property in accordance with the policy for the “policy for Installation of Community Facilities” just as if the property were that of a developer on an interior street. The assessments are to be paid in five (5) equal payments, the first 20% due 30 days after completion of the project and additional payments of 20% annually for four (4) additional payments at eight percent (8%) interest. If the adjacent property owner dedicates additional right-of-way at no cost to the City, the assessment may be paid in ten (10) equally payments over a nine year period, with 8% interest on the unpaid balance.
 - Where there is an existing farmhouse or similar dwelling on property adjacent to an open border street, the property owner shall be assessed at the residential rate in accordance with the Assessment Paving Policy as applicable for up to one hundred (100) feet of frontage. Furthermore, the property owner shall be assessed for one-half of the construction cost, including the cost of the drainage improvements adjacent to his property for the remainder of his frontage (if any) in accordance with the “Policy for Installation of Community Facilities” just as if the property were that of a developer on an interior street. The assessments would be paid in five (5) equal payments, the first 20% due 30 days after completion of the project and additional payments of 20% annually for four (4) additional payments at eight percent (8%) interest. If the adjacent property owner dedicates additional right-of-way at no cost to the City, the assessment may be paid in ten (10) equal payments over a nine-year period, with eight percent (8%) interest on the unpaid balance.
 - Anytime unplatted property is platted, all assessment liens shall become due and payable prior to final platting. If actual cost figures are unavailable, estimated costs shall be used to determine the payment required.
- C. If the developer constructs a wider street than requested by the City, there shall be no City participation for the cost of the extra width. However, in the event a street wider than fifty-four (54) is constructed at the request of the City, the City will participate in the cost of construction calculated in accordance with ordinances adopted by the City or based upon process contained in competitive bids upon completion of the entire length of street included in the CFA.
- D. The Developer will pay the cost of one-half of any street abutting a City park, up to a maximum cost of twenty-seven (27) feet.

- E. All Railroad Crossings shall be of the "Concrete or Rubber Railroad Crossing" type, as determined in the Director's sole discretion. The City's participation in railroad crossings shall be in accordance with this Section. Furthermore, if it is necessary for the City to condemn railroad property, the developer shall reimburse the City the entire cost of the condemnation process including attorney fees plus any other costs associated with the right-of-way and/or easement acquisition.
- F. The City shall pay engineering costs in the amount of six percent (6%) of the actual cost of the City's share of construction as calculated in accordance with ordinances adopted by the City or based upon unit prices contained in competitive bids.

3. GENERAL ARRANGEMENTS AND FINANCING:

- A. Subsequent to approval of adequate subdivision plans and specifications, cost estimates, and the preliminary subdivision plat, the developer shall request a CFA to provide for the installation of the street improvements. Such request and accompanying information shall be in writing and addressed to the Director. No construction shall begin until the developer and the City have executed a CFA. See Subdivision Ordinance Section 104.100 for further details.
- B. The City shall assume a share of the cost of the street improvements and engineering only if funds are available for such participation. In the event that no funds are available for City participation, the developer may award the contract and deposit with the City its financial guaranty.
- C. The Director may require a developer to begin and complete construction of any street included in a developer contract when, in the judgment of the Director, the facility is needed for the proper and orderly development of the area. In addition, installation of all underground utilities will be required before the paving in accordance with the procedure established by this policy. The developer's financial guaranty shall be released when all of the developer's obligations under the CFA have been completed.
- D. When the Director determines that a street or streets, including underground utilities, should be constructed, he shall notify the developer in writing to make arrangements for construction of the facilities. Within fifteen (15) calendar days after receiving the notice, the developer shall make arrangements for constructing the streets and utilities including making the necessary payment to the City if accordance with this policy. Within ninety (90) calendar days after receiving the notice, the developer shall have completed construction of the utilities and streets.
- E. In the event the developer fails to complete the required street and/or utilities improvements within the ninety (90) day period, as required by the Director, the City may take whatever action is required to insure prompt completion of the improvements, including, but not limited to, awarding a construction contract for

the street and/or utilities improvements or the incompleted portions of such improvements, and forfeiting developer's financial guaranty. The cost to complete shall include, but not be limited to, street and/or utilities construction costs, engineering costs, administrative and legal expenses, and damages.

4. OWNERSHIP AND MAINTENANCE:

All street and alley paving installed in connection with the development within dedicated streets or alleys shall be and shall remain the property of the City, and after expiration of the maintenance bonds, shall be maintained by the City.